

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION**

UNITED STATES OF AMERICA, §  
§  
VS. § CASE NO. L-05-MJ-3005  
§  
JOSE MANUEL MARTINEZ-JOYA, §  
§  
§

**ORDER OF DETENTION PENDING TRIAL**

A detention hearing in accordance with 18 U.S.C. §3142(f) has been held in this case. I find that the following facts are established by clear and convincing evidence and that they REQUIRE THE DETENTION of the defendant, JOSE MANUEL MARTINEZ-JOYA, pending trial in this case.

**FINDINGS OF FACT**

- 1) The Defendant is a Mexican Citizen with no legal status in this country.
- 2) The Defendant, through counsel, waived his right to the detention hearing.

**REASONS FOR DETENTION**

The evidence adduced at the hearing establishes that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. This division is situated on the Mexican border, and this courthouse is but a few blocks from the international bridge. Absent some recent change in legal developments of which this Court is unaware, were the Defendant to go to Mexico, by the simple expedient of walking across the bridge, he would be virtually immune from extradition and from the laws of this country. Under these circumstances, the Court believes that the temptation to flee will be very great. Therefore, pre-trial detention is warranted in this case.

**DIRECTIONS REGARDING DETENTION**

The Defendant is committed to the custody of the United States Marshal for the Southern District of Texas, Laredo, Texas for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense

counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE at Laredo, Texas, this 16<sup>th</sup> day of December, 2005.



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FELIX RECIO  
UNITED STATES MAGISTRATE JUDGE